

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Portland DIVISIONSteven Curtis Leech

(Enter full name of plaintiff)

Plaintiff,

v.

Civil Case No. 2:23-cv-00794-AN
(to be assigned by Clerk's Office)Amended
COMPLAINT FOR VIOLATION OF CIVIL
RIGHTS (PRISONER COMPLAINT)Sgt. Garcia, John Doe C.O., John DoeC.O., John Doe C.O., John Doe C.O.Sued in individual, and official capacities

(Enter full name of ALL defendant(s))

Jury Trial Demanded

☒ Yes☐ No

Defendant(s).

I. PARTIES

List your name, address, and telephone number below, and the same information for each defendant. Make sure that the defendant(s) listed below are identical to those contained in the caption of the complaint. Attach additional sheets of paper if necessary.

Plaintiff

Name: Steven Curtis LeechStreet Address: 777 Stanton BlvdCity, State & Zip Code: Ontario, OR, 97914

Telephone No.: _____

Complaint for Violation of Civil Rights (Prisoner Complaint)

[Rev. 01/2018]

Defendant No. 1 Name: Sgt. Jose Garcia
 Street Address: Unknown
 City, State & Zip Code: _____
 Telephone No.: _____

Defendant No. 2 Name: John Doe C.O.
 Street Address: Unknown
 City, State & Zip Code: _____
 Telephone No.: _____

Defendant No. 3 Name: John Doe C.O.
 Street Address: Unknown
 City, State & Zip Code: _____
 Telephone No.: _____

Defendant No. 4 Name: John Doe C.O.
 Street Address: Unknown
 City, State & Zip Code: _____
 Telephone No.: _____

Defendant No. 5 John Doe C.O.

II. BASIS FOR JURISDICTION

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. You are bringing suit against (*check all that apply*):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. What federal constitutional, statutory, or treaty right(s) is/are at issue?

The defendants violated the plaintiff's 8th Amendment Rights protecting him against cruel and unusual punishment

III. STATEMENT OF CLAIMS

Claim I

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

I was having an anxiety attack. The decision was made to place me under suicide watch. I was given no anxiety medication. I became overwhelmed and began to bang my head on the wall. A Response team under the supervision of Sgt. Garcia was sent in. ~~Two officers, at the moment~~ I was tackled. Then two officers, (names unknown) held me down while two other officers, (names also ~~unknown~~ unknown) slammed my head into the ground and struck me repeatedly in the head with their fists. This was recorded on two cameras. This is a clear violation of my 8th amendment Rights protecting me against cruel and unusual punishment. Photos were taken of my face following the incident and nurse Potter examined my injuries.

Claim II

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

Claim III

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

(If you have additional claims, describe them on another piece of paper, using the same outline.)

IV. EXHAUSTION OF ADMINISTRATIVE REMEDIES

I have filed for administrative relief as to all claims in Section III and have concluded all administrative appeals available to me.

☒ Yes☐ No**V. RELIEF**

State briefly exactly what you want the court to do for you and the amount, if any, of monetary compensation you are seeking. Make no legal arguments. Cite no cases or statutes.

Wherefore the plaintiff prays that the court will
~~see~~ grant such relief as sought, \$1,000.00 in compensatory
damages against each officer, and \$50,000.00 in
punitive damages against each officer, totaling \$255,000.00.
As well as any other relief the court may find
the plaintiff entitled to. Mr. Leech also ask that
the court declare that Sgt. Garcia et al violated the
plaintiff's 8th Amendment rights protecting him
against cruel and unusual punishment

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 13th day of February, 2024.

Steve Leech
(Signature of Plaintiff)

CERTIFICATE OF SERVICE

CASE NAME: LEECH v .GARCIA et al

CASE NUMBER: 2:23-cv-00794-AN

COMES NOW, STEVEN CURTIS LEECH, and certifies the following:

That I am incarcerated by the Oregon Department of Corrections at SNAKE RIVER CORRECTIONAL INSTITUTION

That on the ____ day Of February 2024, I
personally e-filed

A TRUE COPY of the following:

Amended complaint, Motion for appointment of counsel, Motion for summary judgement.

I e-filed through Snake River Correctional Institution's legal library, to the person(s)
named at the places addressed below:

United States District Court For The District Of Oregon

(Signature)



Print Name STEVEN CURTIS LEECH

S.I.D. No.: 13345628

S.R.C.I.

777 STANTON BLVD

ONTARIO, OR. 97914